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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,489	02/26/2002	Gary Dommer	65551-011910	4913

7590 03/21/2007  
Patent Administrator  
Greenberg Traurig, LLP  
One International Place  
Boston, MA 02110

EXAMINER
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NGUYEN BA, HOANG VU A

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/085,489

Applicant(s)

DOMMER ET AL.

Examiner

Hoang-Vu A. Nguyen-Ba

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 October 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is responsive to the amendment filed October 31, 2006.
2. Claims 1-18 are pending. Claims 1, 8 and 13 are independent claims.

### ***Response to Amendments***

3. Per Applicants' request, claims 19-21 have been canceled in response to a restriction requirement and claims 1-8, 15 and 17 have been amended.
4. The objection to the Drawings made in the previous Office action is withdrawn in view of Applicants' submittal of the corrected drawings.
5. The objection to Claims 1-8, 15 and 17 is withdrawn in view of Applicants' amendments to these claims to address informalities noted by the examiner.

### ***Response to Arguments***

6. Applicant's arguments filed in the Remarks, pp. 7-8 have been fully considered but they are not persuasive. The following is an examiner's response to Applicants' arguments.

With respect to independent Claim 1, Applicants have made the following amendments:

#### **Claim 1 (Currently Amended)**

An interactive graphics interface for display on a television screen said graphics interface generated from a plurality of data fields and ~~characterized~~ characterized in that the graphics interface has at least three navigational axes, comprising a first display which displays a portion of one of the data fields and allows user navigation along X and Y axis of the same and a second display portion in the form of graphical icon which represents a number of said resident or server based functions, applications, or data fields and effectively

allows navigation along the Z axis of said functions, applications or data fields, such that navigation over the second display portion allows previously displayed data fields to be replaced with a display of current data fields along the Z axis from the second display portion.

and have essentially argued that Alexander et al. do not teach the added limitation. Applicants submitted that instead, in order to navigate along the Z axis, Alexander et al. require that after the cursor moves to the display portion having particular data items to be displayed, and a select key must subsequently be pressed to invoke display of those particular data items along the Z axis.

Applicants further submitted that Alexander et al. teach, in col. 4 (lines 57-61), that in order to highlight a different button in the navigation bar 20, arrow key 32 or 34 is pressed and to enter the screen presented by the highlighted button, “select” key 42 is pressed.

Since Alexander et al. cannot display data fields in the Z axis until the “select” key 42 is pressed, Applicants submit that Claim 1, as amended, is not anticipated by Alexander et al.

In response to Applicants’ arguments, examiner respectfully notes that the claim language merely recites that the “navigation over the second display view allows ...” It does not specifically recite how the navigation is performed (e.g., by moving the cursor to the second display or by pressing a key, etc.). Thus, pressing a key (e.g., a navigation key, the definition of which in the Microsoft® Computer Dictionary is “[t]he key[s] on a keyboard controlling cursor movement, including the four arrow keys and the Backspace, End, Home, Page Down, and page Microprocessor keys”) to move the focus to a second display is considered to read on the added limitation. Therefore,

Alexander et al. is considered to anticipate Claim 1, as amended, and the rejection thereof is maintained.

**Amended Claims 8 and 13**, being directed to a method for displaying an interactive graphics interface on a display screen, contain the same newly added requirement of Claim 1. Therefore, the rejection of these claims under 35 U.S.C. § 102(e) as being anticipated by Alexander et al. is maintained.

**Claims 2-7, 9-12 and 14-18**, by virtue of their dependence respectively from Claims 1, 8 and 13, stand rejected under 35 U.S.C. § 102(e) as being anticipated by Alexander et al.

In view of the foregoing discussion, Claims 1-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Alexander et al. See previous Office action for detailed rejection.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Vu "Antony" Nguyen-Ba whose telephone number is (571) 272-3701. The examiner can normally be reached on Tuesday-Friday from 7:05 am to 5:35 pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, John Miller can be reached at (571) 272-7353.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2600 Group receptionist (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).



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March 14, 2007